

07-02-04

DPW



Express Mail No.: EV 456 933 494 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Huang *et al.*

Confirmation No.: 4803

Application No.: 10/612,604

Group Art Unit: 1645

Filed: July 1, 2003

Examiner: To be assigned

For: COMPOSITIONS AND METHODS
FOR DETERMINING THE
REPLICATION CAPACITY OF A
PATHOGENIC VIRUS

Attorney Docket No.: 11068-014-999

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith a Revocation and Power of Attorney executed by Kathy Hibbs on behalf of ViroLogic, Inc., the Assignee of the entire interest in the above-identified patent.

Applicants request that the Revocation and Power of Attorney be made of record in the file for the above-identified patent.

It is estimated that no fee is due in connection with this transmittal. In the event that a fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: June 30, 2004

David C. Pauling

56,056

(Reg. No.)

For: Nikolaos C. George (Reg. No. 39,201)

JONES DAY

222 East 41st Street

New York, New York 10017-6702

(212) 326-3939

Enclosure



Express Mail No. EV 456 933 494 US

POWER OF ATTORNEY

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Huang *et al.*

Confirmation No.: 4803

Serial No.: 10/612,604

Art Unit 1645

Filed: July 1, 2003

Examiner To be Assigned

For: COMPOSITIONS AND METHODS FOR
DETERMINING THE REPLICATION
CAPACITY OF A PATHOGENIC VIRUS

Attorney Docket No.: 11068-014-999

REVOCATION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ViroLogic, Inc., Assignee, hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number 20583

as its attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

☒ The above mentioned Customer Number.

☒ Firm or Individual Name:

Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 326-3939

I am the:

- ☐ Applicant/Inventor
☒ Assignee of record of the entire interest. See 37 CFR 3.71.
(Statement under 37 CFR 3.73(b) is applicable)

SIGNATURE of Applicant or Assignee of Record			
Date:	6/16/04	Signature:	
		Typed Name:	Kathy Hibbs
		Position/Title:	Vice President and General Counsel

Statement Under 37 C.F.R. 3.73(b)

Virologic, Inc., states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application/patent identified above, a copy which is attached hereto.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office on _____ at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office on
at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office on
at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE:

ViroLogic, Inc.

Date:

6/16/04

Signature:



Typed Name:

Kathy Hibbs

Position/Title:

Vice President and General Counsel

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

☒ Total of 1 form is submitted.



Mr Tell

UNITED STATES PATENT AND TRADEMARK OFFICE

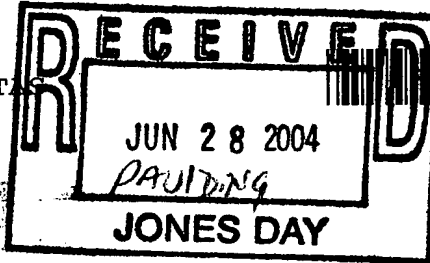
11668 014 999

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUNE 08, 2004

PENNIE & EDMONDS LLP
NIKOLAOS C. GEORGE
1155 AVENUE OF THE AMEIRCAS
NEW YORK, N.Y. 10036-2711

PTA



Resubmit Assignment 7/8

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 102606531

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

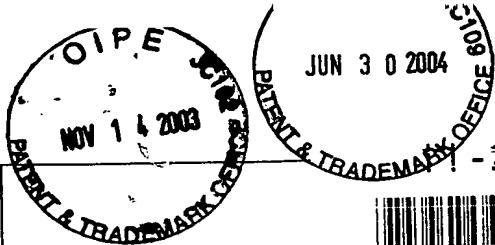
THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. 1 PAGE OF THE ASSIGNMENT DOCUMENT IS MISSING. WHEN RESPONDING, PLEASE RESUBMIT ALL ATTACHED PAPERS INCLUDING THIS NON-RECORDATION NOTICE.

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MENLO PARK DOCKET
DATE: 6/29/04
☒ SENT TO ATTORNEY WT/Ele
☐ SENT TO NY DOCKET



JUN 30 2004

11-17-03
11-14-03
11-21-2003

Express Mail No.: EV 313 842 229 US



102606531

M COVER SHEET
ONLYAttorney Docket Number
011068-014-999

Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Wei Huang
Mary T. Wrin
Andrea Gamarnik
Jeff Beauchaine

Jeannette M. Whitcomb
Christos J. Petropoulos
Neil T. Parkin

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

Merger

Security Agreement

Change of Name

Other

Execution Date: October 31, 2003, October 31, 2003, October 31, 2003,
November 4, 2003, October 17, 2003, October 17, 2003 and
October 17, 2003

2. Name and address of receiving party(ies):

Name: ViroLogic, Inc.Address: 345 Oyster Point Blvd.
South San Francisco, CA 94080

Country (if other than USA):

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 10/612,604

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, N.Y. 10036-2711
(212) 790-7900

6. Number of applications and patents involved:

17. Total fee (37 CFR 3.41):.....\$ 40.00
Please charge to the deposit account listed in Section 8.

8. Deposit account number:

16-1150

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Nikolaos C. George

39,201

Name of Person Signing

Reg. No.

Signature

November 14, 2003

Date

Total number of pages, including cover sheet:

5

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

11/20/2003 LNUELLER 00000200 161150 10612604

01 FC:8021

40.00 DA

CA1: 361343.1

ASSIGNMENT

WHEREAS, WE, WEI HUANG, MARY T. WRIN, ANDREA GARMANIK, JEFF BEAUCHAINE, JEANETTE M. WHITCOMB, CHRISTOS J. PETROPOULOS AND NEIL T. PARKIN, ASSIGNORS, citizens of Canada, the United States, Argentina, the United States, the United States, the United States and Canada, respectively, residing at Foster City, California, Fremont, California, Chandler, Arizona, Daly City, California, San Mateo, California, Half Moon Bay, California, and Belmont California, respectively, are the inventors of the invention in COMPOSITIONS AND METHODS FOR DETERMINING THE REPLICATION OF A PATHOGENIC VIRUS for which we have executed an application for a Patent of the United States

- ☒ which is executed on ☒ even date herewith or ☐
☒ which is identified by Pennie & Edmonds LLP docket no. 011068-014-999
☒ which was filed on July 1, 2003, Application No. 10/612,604
☐ We hereby authorize and request our attorney, , of Pennie & Edmonds, LLP, , to insert here in parentheses (Application number, _____ filed _____) the filing date and application number of said application when known.

and WHEREAS, VIROLOGIC, INC., ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

WEI HUANG

Wei HuangDate 10/31/2003

WITNESS

Shanda BlumDate 10/31/2003

WITNESS

Gayle SteeleDate 10/31/03

MARY T. WRIN

M.T. WrinDate 10/31/2003

WITNESS

Shanda BlumDate 10/31/2003

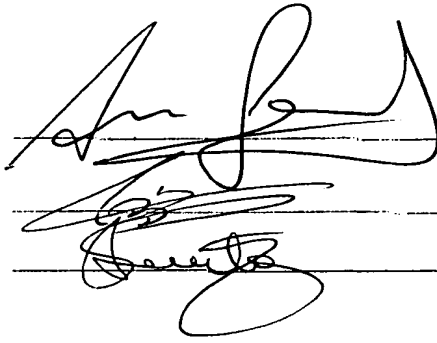
WITNESS

Gayle SteeleDate 10/31/03

ANDREA GAMARNIK

WITNESS

WITNESS



Date 11/4/03

Date 11/4/2003

Date 11/4/03

JEFF BEALCHANE

WITNESS

WITNESS

Date _____

Date _____

Date _____

JEANNETTE M. WHITCOMB

WITNESS

WITNESS

Date _____

Date _____

Date _____

CHRISTOS J. PETROPOULOS

WITNESS

WITNESS

Date _____

Date _____

Date _____

NED J. RYAN

WITNESS

WITNESS

Date _____

Date _____

Date _____

ANDREA GARMANIK

Date _____

WITNESS

Date _____

WITNESS

Date _____

JEFF BEAUCHAINE

Date _____

WITNESS

Date _____

WITNESS

Date _____

~~JEANETTE M. WHITCOMB~~
Jeannette

Jeannette M. Whitcomb

Date 10/17/2003

WITNESS

Tegan Bani

Date 10/17/2003

WITNESS

Taylor Steele

Date 10/17/03

CHRISTOS J. PETROPOULOS

Christos J. Petropoulos

Date 10/17/2003

WITNESS

Tegan Bani

Date 10/17/2003

WITNESS

Taylor Steele

Date 10/17/03

NEIL T. PARKIN

Neil Parkin

Date 10/17/2003

WITNESS

Taylor Steele

Date 10/17/03

WITNESS

Christos J. Petropoulos

Date 10/17/03